

ORDINANCE NO. 98- 20-CM

WHEREAS, House Enrolled Act No. 1230, effective July 1, 1998, permits the legislative body of a County to ordain that certain prisoners and detainees shall reimburse the County for certain costs, and

WHEREAS, it would be beneficial to the administration of justice in the County and serve as a deterrent to crime to adopt such an ordinance; and

NOW, THEREFORE, BE IT ORDAINED that Sections 36-2-13-15 and 36-2-13-16 of the Indiana Code, effective July 1, 1998, together with any subsequent amendments thereto shall be implemented in Tippecanoe County; and

BE IT FURTHER ORDAINED that:

Any person who is:

- (1) sentenced for a felony or a misdemeanor;
 - (2) subject to lawful detention as defined in Indiana Code 35-41-1-18 in the Tippecanoe County jail for a period of more than seventy-two (72) hours;
 - (3) not a member of a family that makes less than 150 % of the federal income poverty level; and
 - (4) not detained as a child subject to the jurisdiction of a juvenile court;
- shall reimburse the county for the sum of the following amounts:

- (1) The lesser of:
 - (A) the per them amount now and hereafter fixed by the Tippecanoe County Council; or
 - (B) thirty dollars (\$30);

multiplied by each day or part of a day that the person is lawfully detained in a county jail or lawfully detained under I.C. 35-33-11-3 for more than six (6) hours.

- (2) The direct cost of investigating whether the person is indigent.
- (3) The cost of collecting the amount for which the person is liable under this section.

The county sheriff shall collect the amounts due from a person under this section. If the county sheriff does not collect the amount due to the county, the county attorney may collect the amount due.

PROVIDED, however, that any such person may satisfy that person's obligation to reimburse the County under this Ordinance either (a) by making payment in full within thirty (30) days of release in the amount of fifteen (\$15.00) Dollars per day multiplied by each day or a part of the day that the person is lawfully detained in a county jail or lawfully detained under I.C. 35-33-11-3 for more than six (6) hours; or (b) by the timely completion of a repayment plan ordered by the Court at the time of imposing sentence pursuant to I.C. 35-50-5-4; or (c)

PROVIDED, further, that the Sheriff of Tippecanoe County may waive the per them reimbursement in whole or in part for any prisoner [sic] or detainee who accepts and successfully completes assigned work in aid of the administration of the jail while housed in the County jail.

BE IT FURTHER ORDAINED that the effective date of this ordinance is July 1, 1998.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and read in full for the first time and approved on first reading this 1st day of June, 1998, by the following vote.

	VOTE	BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY
John Knochel	Yes	_____ John Knochel, President
Ruth Shedd	Yes	_____ Ruth Shedd, Vice President
	Yes	_____

Kathleen Hudson
ATTEST:

Kathleen Hudson

Betty J. Michael, Auditor

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and read in full for the second time, and adopted this ____ day of _____, 1998, by the following vote:

VOTE

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

John Knochel

John Knochel, President

Ruth Shedd

Ruth Shedd, Vice President

Kathleen Hudson

Kathleen Hudson

ATTEST:

Betty J. Michael, Auditor

THIS ORDINANCE HAS NOT PASSED 2ND READING.

(ORDINANCE NO. 98-21 WAS NOT USED)